

PRELIMINARY AMEND IN RESPONSE TO TELEPHONE RESTRICTION

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Appl. No. 10/726,692

REMARKS

Applicants thank the Examiner for the telephone call in which she indicated a Restriction Requirement would be issued in connection with this application.

During the telephone conversation, the Examiner noted the following groups and corresponding claims:

| | |
|--------------------------------------|--------------|
| Group I - directed to plasmids: | Claims 1-5 |
| Group II - directed to polypeptides: | Claims 6-11 |
| Group III - directed to a method | Claims 12-17 |

In response, Applicants elect Group II, directed to the polypeptides with traverse. Thus, claims 6-11 read on the elected invention.

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If an election of species is required for the elected Group II, Applicants elect FP3, and if further election is required for elected claims 10 (as well as new claims 19 and 20), Applicants elect FP6 as the second polypeptide and FP10 as the third. No new matter has been entered. Early and favorable consideration of this application is respectfully requested.

Respectfully submitted,



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CERTIFICATE OF TRANSMISSION

The undersigned certifies this document has been transmitted by via facsimile to (703) 872-9306 at the United States Patent & Trademark Office on the below-listed date.



Thomas P. Pavelko

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